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November 10, 2010

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VIA HAND DELIVERY

The Honorable Kevin Nathaniel Fox
United States Magistrate Judge
United States District Court, Southern District of New York
500 Pearl Street, Courtroom 20A
New York, NY 10007

MEMO ENDORSED

Re: Stephen Carb as Trustee of Lollytogs, Inc. Trust
v. Lincoln Benefit Life Company Inc., 09-CV-2980 (RMB) (KNF)
Our File No: 09-103

Dear Judge Fox:

This firm represents Plaintiff Stephen Carb as Trustee of Lollytogs, Inc. Trust ("Plaintiff") in the above-captioned action. The parties attended a private mediation session at JAMS yesterday. We write to inform you that the parties were unable to resolve this litigation through mediation. Accordingly, we respectfully request a Rule 16(b) conference be scheduled as soon possible for the purpose of entering into a revised pre-trial discovery scheduling order.

11/12/10
A telephonic conference, initiated by counsel to the plaintiff, shall be held on November 16, 2010, to discuss a schedule for completing all pretrial activities. The conference will begin at 10:30am. S O ORDERED:
Kevin Nathaniel Fox

KEVIN NATHANIEL FOX, U.S.M.J.

Respectfully yours,
WEG AND MYERS, P.C.,

By *Scott J. Kantor*
Scott J. Kantor

cc: Via Email and Regular Mail
Jay Cho, Esq.